



778114

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: 1/RCS	.	
3/6/2008	.	
	.	
	.	

1 The Committee on Finance and Tax (Geller) recommended the
2 following **amendment**:

3
4 **Senate Amendment (with title amendments)**

5 Delete line(s) 15-51

6 and insert:

7
8 Section 1. Subsections (2) and (3) of section 551.106,
9 Florida Statutes, are amended to read:

10 551.106 License fee; tax rate; penalties.--

11 (2) TAX ON SLOT MACHINE REVENUES.--

12 (a) The tax rate on slot machine revenues at each facility
13 shall be 35 ~~50~~ percent.

14 (b) Beginning July 1, 2008, if the total tax revenues
15 under paragraph (a) from facilities located in Broward County



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16 which operated for any portion of the 2007-2008 state fiscal
17 year do not meet or exceed a cumulative amount of \$123 million
18 from the slot machine licensees in each state fiscal year, an
19 additional amount shall be paid by each slot machine licensee
20 that conducted slot machine gaming in such year which is
21 sufficient to make the total tax under paragraph (a) and this
22 paragraph equal \$123 million per year. The additional amount to
23 be paid by each licensee shall be based upon each licensee's pro
24 rata share of the total taxes paid on slot machine revenues in
25 such year pursuant to paragraph (a). However, a licensee is not
26 required to pay taxes due for a state fiscal year under
27 paragraph (a) and this paragraph in an amount greater than 50
28 percent of its slot machine revenues.

29 (c) Beginning July 1, 2008, each slot machine licensee
30 other than those licensees that are subject to paragraph (b),
31 shall pay a tax on slot machine revenues equal to the greater of
32 35 percent of slot machine revenues or \$41 million in cumulative
33 slot machine tax revenue in each state fiscal year. For
34 licensees operating less than an entire fiscal year, the \$41-
35 million amount shall be prorated based on the number of days of
36 operation. However, a licensee is not required to pay taxes due
37 for a state fiscal year under paragraph (a) and this paragraph
38 in an amount greater than 50 percent of its slot machine
39 revenues.

40 (d) Paragraphs (b) and (c) expire July 1, 2012.

41 (e)1. If Class III gaming, other than slot machine gaming,
42 as defined by the Indian Gaming and Regulatory Act, is commenced
43 in Broward County or Miami-Dade County on any Indian



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44 reservation, the tax rate under this section shall be 35
45 percent, notwithstanding paragraphs (b) and (c).

46 2. If the state authorizes video lottery terminals,
47 electronic gaming, or Class II or Class III gaming, as defined
48 by the Indian Gaming and Regulatory Act, at pari-mutuel
49 facilities in any county in this state, the tax rate shall be
50 the lesser of 35 percent or the tax rate established for such
51 pari-mutuel facilities, notwithstanding paragraphs (b) and (c).

52 (f) ~~(b)~~ The slot machine revenue tax imposed by this
53 section shall be paid to the division for deposit into the Pari-
54 mutuel Wagering Trust Fund for immediate transfer by the Chief
55 Financial Officer for deposit into the Educational Enhancement
56 Trust Fund of the Department of Education. Any interest earnings
57 on the tax revenues shall also be transferred to the Educational
58 Enhancement Trust Fund.

59 (g) ~~(e)~~1. Funds transferred to the Educational Enhancement
60 Trust Fund under paragraph (f) ~~(b)~~ shall be used to supplement
61 public education funding statewide.

62 2. If necessary to comply with any covenant established
63 pursuant to s. 1013.68(4), s. 1013.70(1), or s. 1013.737(3),
64 funds transferred to the Educational Enhancement Trust Fund
65 under paragraph (f) ~~(b)~~ shall first be available to pay debt
66 service on lottery bonds issued to fund school construction in
67 the event lottery revenues are insufficient for such purpose or
68 to satisfy debt service reserve requirements established in
69 connection with lottery bonds. Moneys available pursuant to this
70 subparagraph are subject to annual appropriation by the
71 Legislature.



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72 (3) PAYMENT AND DISPOSITION OF TAXES.--

73 (a) Payment for the tax on slot machine revenues imposed
74 by this section shall be paid to the division. The division
75 shall deposit these sums with the Chief Financial Officer, to
76 the credit of the Pari-mutuel Wagering Trust Fund. The slot
77 machine licensee shall remit to the division payment for the tax
78 on slot machine revenues. Such payments shall be remitted by 3
79 p.m. on the 5th day of each calendar month ~~Wednesday of each~~
80 ~~week~~ for taxes imposed and collected for the preceding calendar
81 month ~~week ending on Sunday~~. If the 5th day of the calendar
82 month falls on a weekend or a state holiday, payments shall be
83 remitted by 3 p.m. on the first Monday following the weekend or
84 on the first Tuesday if the first Monday is a state holiday

85 (b) Each licensee shall pay any amounts due as provided in
86 paragraph (2) (b) or paragraph (2) (c) on or before July 31
87 immediately following the end of the fiscal year.

88 (c) The slot machine licensee shall file a report under
89 oath by the 5th day of each calendar month for all taxes
90 remitted during the preceding calendar month. Such payments
91 shall be accompanied by a report under oath showing all slot
92 machine gaming activities for the preceding calendar month and
93 such other information as may be prescribed by the division.

94
95 ===== T I T L E A M E N D M E N T =====

96 And the title is amended as follows:

97 On line(s) 8, after the first semicolon
98 insert:



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99 providing for the expiration of the revised tax rate;
100 providing a tax rate on certain Class III gaming on Indian
101 reservations if commenced; providing a tax rate on video
102 lottery terminals, electronic gaming, Class II or Class
103 III gaming at pari-mutual facilities if authorized by the
104 state; revising the dates for payment of slot machine tax
105 revenues;